



CITIZEN POLICE ADVISORY REVIEW BOARD (CPARB)

Minutes

Tuesday, June 16, 2015
Ward 6 Office, West Conference Room
3202 E. First Street, Tucson, AZ

1. Call to Order and Roll Call

Meeting was called to order by Chair Felicia Chew 5:36 p.m. Those present and absent were:

Present:

Felicia Chew, Chair
Derrick Goodrich
Suzanne Elefante
Glen Parin
Cherry Jackson
Cynthia Schiesel

Representing:

Mayor
Ward 1
Ward 2
Ward 4
Ward 5
Ward 6

Absent:

Barbara Sattler

Ward 3

Others Present:

Assistant Chief Ramon Batista
Lieutenant Eric Johnson
Lieutenant Kevin Hall
Lieutenant Lee McNitt
Lieutenant Joe Puglia
Tristy Terwilliger
Michael Silva, Legal Advisor
Karisa McMillan
Ana Juarez
Daniel Garcia
Andrea Mejia-Flores
Stephen Moore
Sheldon Gutman

Representing:

Tucson Police Department
Tucson Police Department
Tucson Police Department
Tucson Police Department
Tucson Police Department
Independent Police Auditor
City Attorney's Office
City Clerk's Office
City Clerk's Office
City Clerk's Office
City Clerk's Office
Constituent
Constituent

2. Approval of Minutes from May 19, 2015.

It was moved by Suzanne Elefante, duly seconded, and carried by a voice vote of 6 to 0 (Barbara Sattler absent), to accept the Minutes with corrections of May 19, 2015.

It was moved by Suzanne Elefante, duly seconded, and carried by a voice vote of 6 to 0 (Barbara Sattler absent), to accept the Legal Action Report of May 19, 2015.

3. Report from Chairperson

Chair Chew welcomed new board members Glen Parin and Cynthia Schiesel. She requested case files for new board members from OIA. Met with IPA. She stated she met with the City Clerk's Office and Michael Silva regarding handouts and also met with the new board members regarding CPARB. She said she sent a News Release for Presentation to ??, and began documenting case files numbers for a Tracking Sheet. She informed the members of the new Police Chief Selection Committee that members may have a potential to be a part of. She handled out for review by CPARB Members Chapter 7 Open Meeting Law.

4. Call to the Audience

Comments were made by constituent Stephen Moore and Sheldon Gutman.

5. Presentation on Body Worn Cameras

Presentation given by Lieutenant Joe Puglia, Logistics Division.

Lieutenant Puglia stated a working committee was formed in 2013 for Body Worn Cameras for TPD. Bids were placed, but only received equipment from TASER. Cameras were put through rigorous testing. Training for field officers began on March 26, 2015. One piece cameras for motor units and body flex cameras for patrol. The wires for the cameras had a 6 pound breakaway so the wires cannot be used to harm the officers. The option was given for the officers to be able to wear the camera on the shoulder or glasses.

Questions were asked by Board Members Schiesel, Elefante, and Parin; regarding concern with police officers wearing glasses and having direct eye contact with citizens, capturing video, volume, regards to General Orders with when to turn the device on, and if the camera can be on the entire shift.

Lt. Puglia stated officers could switch the camera from glasses to shoulder to have direct eye contact, the battery would last 12 hours and officers would need to ensure the battery is turned on, and the sound could be adjusted but not the volume for the audio, depending on the type of call the officer was on depended on when the device was turned on to record, device could be turned on entire shift but then would not upload the video according to the time of each call. He said regular audits were performed to ensure compliance from the officers.

6. Office of Independent Police Auditor

A. Monthly Contacts: Report on TPD-related contacts by members of the public with the office of the Independent Police Auditor during the previous month.

Report was given by Tristy Terwilliger, Independent Police Auditor. Discussion was held, no action was taken. 2 incoming complaints, audited 42 cases from OIA, toured crime lab, met with Felicia Chew to give overview of office, distributed binder for new members

7. Tucson Police Department:

- A. TPD Updates regarding events or developments relating to TPD during the prior month.

Report was given by Assistant Chief Ramon Batista, Tucson Police Department. Discussion was held, no action taken. Asst. Chief Batista reported on Veinte Agosto Park, Divisions reaching out to businesses to have a good relationship to assist with theft issues, save your Receipts Campaign, Alternative to Jail Cases, Spice Overdose Cases.

- B. Office of Internal Affairs/Updates regarding events or development relating to the Office of Internal Affairs during the prior month.

Report was given by Lieutenant Eric Johnson, Tucson Police Department. Discussion was held, no action taken. 2 new SGTs in OIA, introduced new SGT to Board. Unprecedented this year with amount of calls being received with complaints, currently there are 122 open cases. LT. Johnson also informed that audio has now been provided.

8. Random Review of TPD Investigations:

1. Case# 15-0045

It was moved by Suzanne Elefante, duly seconded, and carried by a voice vote of 6 to 0 (Barbara Sattler absent), to find Case# 15-0045, to be a fair and thorough investigation.

Questions/Comments were made by Board Members Elefante, Chew, and Goodrich with concern about the officer not completing the traffic collision report and if it is expected of the citizen to request a report, implicit standard that the citizen should be taken in an ambulance in order for a report to be filed which can overlook the financial responsibility for the citizen, concerns that the officer that arrived at the hospital came to a different outcome of the incident than the officer on scene and if the officer on scene was rushing with the inquiry if more time at the scene was necessary, talking to the victim instead of the driver may have been more effective, conflicting testimony from the victim, victim's employer, and officer, was noticed that victim was spoken to by Tucson Fire Department, discussed that a citizen's memory can be recalled differently days after the accident takes place, training for the officer needed to be looked into, no issue with protocol but concerned with citizen's feelings of dismissal and relaying that to other citizens.

Lieutenant McNitt responded that the officer has to determine at the scene if there are injuries or damage before creating the report, if a person is noticeable physically injured or already receiving medical care when the officer arrives a report is done, the follow up officer was under different circumstances than the officer on scene, victim was spoken to, victim's employer was spoken to telephonically and was not at the scene.

Assistant Chief Ramon Batista commented that the narrative was created by LT. McNitt. He also references the interview transcript to clarify conversation between the officer and victim and could be he/she said case.

Tristy Terwilliger commented that the finding on the case was not sustained as no blame was put on either party and Tucson Police Department corrected their actions.

2. Case# 15-0174

It was moved by Suzanne Elefante, duly seconded, and carried by a voice vote of 6 to 0 (Barbara Sattler absent), to move Case #15-0174 to the July meeting.

Questions/Comments made by Board Members Elefante, Parin, Chew, and Goodrich about the arrest report, why the vehicle was impounded instead of towed away for citations regarding no insurance, how the citizen was unable to articulate that the citation was given due to race/ethnicity, request for audio tape from the interview due to explanation stating to refer to audio, inquiry if a form is signed for a citizen who refuses to be recorded to avoid scrutiny from the Police Department, how plates are run and what information is shown to the officer, and are racial/ethnic complaints kept track of.

Lieutenant Eric Johnson gave a background stating that the officers were running plates and asking questions as part of a federal grant and work in main corridors known in smuggling operative areas, Lt. Johnson advised that citations must be issued for insurance due to State Statute and the officers have no discretion. With the complaint being that the citizen was targeted because of race and not able to provide reason for her allegation it was determined that the citizen was unable to substantiate her claim, Lt. Johnson continued to say that these complaints can be difficult to follow through with because citizens are unable to provide a viable answer but complaints are kept track of to ensure there is not a continuous pattern with the officer(s), the department has no consent form for a citizen not wanting to be recorded because of the rarity that it occurs. Lt. Johnson advised that the only information the officers can see are the owner of the vehicle belongs to, the name, driver's license number, and the status of the case.

Comments from Suzanne Elefante were made about providing audio and only having audio provided for requested cases and not every case. Mike Silva stated that providing audio for every case can take up extra resources due to redaction. The case was moved forward to be voted on at a later meeting.

3. Case# 15-0208

It was moved by Suzanne Elefante, duly seconded, and carried by a roll call vote of 6 to 0 (Barbara Sattler absent), to find Case# 15-0208, to be a fair and thorough investigation with recommendations that all concerns from the complaint are addressed in future investigations.

Questions/Comments were made by Board Members Chew and Goodrich as to what the procedure is for exchanging information due to the complaint was made for failure to provide adequate service; narrative stated that at the end of the investigation the officer was given guidance for the future.

Glen Parin inquired about the various levels of severity of complaints. Lt. Johnson stated EC1 (External Complaint) goes out to chain of command for review; EC2 is the supervisor referral, EC3 no valid complaint and officer was within policy.

9. Old Business

A. Racial Demographics

Felicia Chew inquired about Racial Demographics request. Assistant Chief Ramon Batista inquired if board would like a presentation to thoroughly explain with proper context and the meaning of the numbers.

Motion was made and passed to have Racial Demographics Presentation during the July meeting.

B. Proactive Outreach Possibilities

Discussion was held by Chair Chew regarding the CPARB ordinance and what the role of the board was and gave a perspective of the board to the community to help promote transparency. Board member Jackson and IPA Tristy Terwilliger attend the local Ministry Alliance as a way to provide feedback as necessary.

Board Member Elefante commented that the board had attended meetings in the community in previous years to listen to the concerns of the citizens and bring them back to the board.

It was recommended by Tristy to use the information of each board member's ward and the internet in order to find community events for each person.

Board Member Parin asked if the CPARB Members could attend the community gatherings and if discussion could take place. Board Member Elefante responded by stating that as a representative of CPARB he could not respond to comments and concerns, but could bring the information back to the board, and as a constituent he could respond.

Ms. Chew inquired about possible having a business card or brochure to assist with outreach possibilities.

It was moved by Suzanne Elefante, duly seconded, and carried by a voice vote of 6 to 0 (Barbara Sattler absent), to create the Proactive Outreach Possibilities Sub Committee for CPARB.

10. Discussion on CPARB Tracking Sheet

Item was moved to July Agenda

11. Definition of Professionalism in Regards to TPD General Orders

No discussion held, no action taken.

12. Discussion on OIA Ordinance regarding photographs, video tapes, etc.

Discussion held, no action taken.

13. Future Agenda Items

CPARB Tracking Sheet

14. Adjournment 7:32 p.m.

The next regularly scheduled meeting of the Citizen Police Advisory Review Board (CPARB) is on Tuesday, July 21, 2015 at 5:30 p.m.